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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/764,311

01/23/2004

Holger Lubatschowski

3968.106

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04/01/2010

AKERMAN SENTERFITT

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EXAMINER

FARAH, AHMED M

ART UNIT

PAPER NUMBER

3769

NOTIFICATION DATE

DELIVERY MODE

04/01/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip@akerman.com

Attachment to the Advisory Action

Note: in the replay filed on May 22, 2009, with the response to the Restriction requirement, the applicant elected the invention of Group I, claims 30, 32-38, and 40-42. However, the applicant did not clearly state whether the election was made with or without traverse. The examiner called but could not reach the applicant to clarify the type of election made. As a result, to expedite the prosecution of the application, the examiner took the position that the election was made without traverse (see page 2 of the Office Action mailed on November 4, 2009).

In the amendment filed on March 2, 2010, the applicant amended withdrawn claims 43-52 of the non-elected invention in Group II. The applicant further requested a rejoinder of the withdrawn claims. This is an indication that the applicant's election of the invention of Group I was intended to be made with traverse.

Hence, this application is in condition for allowance except for the presence of claims 43-52 directed to an invention non-elected with traverse in the reply filed on May 22, 2009. Applicant is required to cancel the noted claims or take other appropriate action (37 CFR 1.144).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ahmed M. Farah whose telephone number is (571) 272-4765. The examiner can normally be reached on Mon, Tue, Thur and Fri between 9:30 AM 7:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johnson Henry can be reached on (571) 272-4768. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ahmed M Farah/
Primary Examiner, Art Unit 3769

March 19, 2010